

**MINUTES OF THE
AUBURN CITY PLANNING COMMISSION
JULY 19, 2005**

The regular session of the Auburn City Planning Commission was called to order on July 19, 2005 at 6:52 p.m. by Chairman Smith in the Council Chambers, 1225 Lincoln Way, Auburn, California.

COMMISSIONERS PRESENT: Powers, Thompson, S. White, Chrm. Smith

COMMISSIONERS ABSENT: Merz

STAFF PRESENT: Will Wong, Community Development Director; Reg Murray, Senior Planner; Steve Geiger, Associate Planner; Bryan Jones, Associate Civil Engineer; Gilda Lathuras, Office Assistant

ITEM I: CALL TO ORDER

ITEM II: APPROVAL OF MINUTES

The minutes of June 21, 2005 were approved as presented.

ITEM III: PUBLIC COMMENT

None.

ITEM IV: PUBLIC HEARING ITEMS

- A. Lot Split and Tree Permit – 11043 Rosemary Drive (Arnold Lot Split) – File LS 05-1; TP 05-2.** The applicant requests approval of a Tentative Parcel Map and Tree Permit for the Arnold Lot Split at 11043 Rosemary Drive. The request will subdivide a 1.19 acre parcel into three (3) single-family residential lots ranging in size from 18,223 – 18,279 square feet. The request also includes a Tree Permit

for the encroachment into the protected area of one (1) oak tree.

Reg Murray gave the staff report, giving history on the parcel. He reviewed the development standards and explained that there is a section of the Subdivision Ordinance requiring that side lines of all lots lines are provided at right angles. The proposed lotting configuration does not comply with that requirement and the property owner has indicated that the reason for his configuration is to maintain view corridors. He advised that there is adequate access for the proposed lots and also that the developer would be required to provide services to the subdivision. There is an arborist report for the project that identifies one tree in fair condition and the applicant intends to save the tree. He responded to Commissioners' questions regarding the lot lines and view corridor.

The public hearing was opened.

Ed Arnold, owner and applicant, commented on the proposed angle of the lot lines and the view corridor. He described how he believed the configuration would be advantageous to the proposed lots and also protect his view.

Clark Gelbach, another adjacent property owner, also expressed concerns on the view corridor and location of homes for the proposed lots as well as whether there are any restrictions to preserve the view of existing homes.

Planner Murray responded that there are no restrictions on the newly created lots, but that it is the hope of the applicant that the configuration of the lots will determine where houses would most likely be placed. Also, the City does not have any ordinance for preserving existing view corridors.

The public hearing was closed.

The Commissioners discussed the project proposal.

Chrm. Smith **MOVED** to approve the project, Items A through E, adding that the applicant would be required to keep the rectangular lot lines as proposed by staff.

Comm. Powers noted concerns with property values, as one of the speakers who owned an adjacent parcel commented on losing his view. She felt that the views involved here can be considered a

unique circumstance and the skewed design proposed will create a better view corridor for the new homes as well as the existing homes on Tanglewood Drive. In view of this, she would like to see the project approved as designed by the applicant.

Comm. Thompson agreed with Comm. Powers.

The vote on the motion by Chrm. Smith:

AYES: Chrm. Smith
NOES: Powers, Thompson, White,
ABSTAIN: None
ABSENT: Merz

The motion failed.

Comm. White **MOVED** to:

- A. Find the project Categorically Exempt from the California Environmental Quality Act per CEQA Guidelines Section 15332;
- B. Adopt the following findings of fact for the Arnold Lot Split:
 - 1. The proposed subdivision is consistent with the Auburn General Plan.
 - 2. The design or improvement of the proposed subdivision is consistent with the objectives, policies, general land uses, and programs specified in the Auburn General Plan.
 - 3. The site is physically suitable for the proposed development.
 - 4. The site is physically suitable for the proposed density of development.
 - 5. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
 - 6. The design of the subdivision or improvements is not likely to cause serious public health problems.
 - 7. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

- C. Approve the Arnold Lot Split – 11043 Rosemary Drive, subject to the conditions listed in Exhibit “A” of the staff report, however striking Condition #5:
- ~~5. The parcel map shall be revised to comply with Section 158.032 of the City of Auburn Municipal Code requiring that the side property lines should be at right angles to the street which the lot faces.~~
- D. Adopt the following findings of fact for the Tree Permit for the Arnold Lot Split:
1. Approval of the tree permit will not be detrimental to the public health, safety, or welfare;
 2. Approval of the tree permit is consistent with the provisions of this chapter; and
 3. Measures have been incorporated in the project or the permit to mitigate impacts to remaining trees or to provide replacement for trees removed.
- E. Approve the Tree Permit for the Arnold Lot Split subject to the conditions listed I Exhibit A of the staff report.

Comm. Thompson **SECONDED**.

AYES: Powers, Thompson, White
NOES: Chrm. Smith
ABSTAIN: None
ABSENT: Merz

The motion was approved.

The Chairman announced the 10-day appeal period.

- B. Subdivision Amendment – 10010 Brentwood Circle (Brentwood Subdivision Lot 11) – File SUB AMEND 731.2(B).** The applicant requests an amendment to the approved building footprint for Lot #11 of the Brentwood Subdivision.

Steve Geiger gave the staff report, giving history on the subdivision. He gave further details on the proposal and noted that the Community Development Department supports the approval of an amendment to the building footprint and gave the reasons.

The public hearing was opened.

There was no one wishing to speak and the public hearing was closed.

Comm. Thompson **MOVED** to:

- A. Find the project Categorically Exempt from the California Environmental Quality Act per Section 15305(a) and to
- B. Approve the amendment to the existing building footprint for Lot #11 of the Brentwood Subdivision – 10010 Brentwood Circle, subject to the conditions listed in Exhibit “A” of the staff report.

Comm. Powers **SECONDED**.

AYES: Powers, Thompson, White, Chrm. Smith
NOES: None
ABSTAIN: None
ABSENT: Merz

The motion was approved.

- C. **Civic Design Amendment – 195 Lincoln Way (Northfork Trail Apartments) – File CD AMEND 03-13(A).**
The applicant request approval of an amendment to the Civic Design approved for the North Fork Trails apartment project. The amendment would revise Condition of Approval #43 to require the developer to design a sewer lift station for the proposed apartment project only, and not future development on adjoining properties.

Reg Murray gave the staff report, he reviewed the history of this recently approved apartment project. At the time of that approval, there was the requirement for a sewer lift station that would service the apartments. When this project was being considered, the adjacent property owner to the east was also considering a proposal and based on that, the Public Works Department required that the lift station be sized to accommodate the apartment project as well as the future development of the adjoining parcel to the east. The developer then questioned the need to up-size the sewer lift station since his apartment project is ready to proceed and the adjacent property owner is not, consequently he is requesting to

modify Condition 43. The adjacent property owner has sufficient access to easements to provide sewer service to his property and the Public Works Department has no objection to the modification of the condition.

The public hearing was opened.

There was no one wishing to speak and the public hearing was closed.

There was a short discussion.

Comm. Powers **MOVED** to:

- A. Find the project consistent with the Mitigated Negative Declaration prepared for the North Fork Trails apartment project and adopted by the City of Auburn on July 20, 2004, and
- B. Approve the Civic Design Amendment for the North Fork Trail Apartment project – 195 Lincoln Way, subject to the conditions listed below in the staff report

Comm. White **SECONDED**.

The motion was approved unanimously by voice vote.

ITEM V:

PLANNING COMMISSION BUSINESS

A. Work Program Review

In the past, the Commission expressed a desire to assist staff with prioritizing projects. A spreadsheet was provided by staff, listing planning related special projects that the Community Development Department is working on at this time. The Commissioners reviewed the list and identified four items for follow-up by staff:

1. A general discussion regarding CEQA including criteria for an Environmental Impact Report and Thresholds of Significance;
2. Tree Ordinance, and an ordinance amendment to expand staff authority to approve tree permits in residential zones;

3. Historic colors, review of the color palette for historic colors that may require modification to Historic Design Review Guidelines.
4. Parking standards, review of zoning ordinance for parking standards.

ITEM VI: COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS

A. City Council Meetings

Director Wong reviewed recent City Council meetings.

B. Future Planning Commission meetings.

Director Wong discussed future meetings and vacation dates.

C. Reports

None.

ITEM VII: PLANNING COMMISSION REPORTS

None.

ITEM VIII: FUTURE PLANNING COMMISSION AGENDA ITEMS

None.

ITEM IX: ADJOURNMENT

The meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Janet Elaine Ferro, Administrative Secretary